

EXHIBIT Q

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August 25, 2014

BY ELECTRONIC MAIL

Adeel A. Mangi
Patterson Belknap Webb & Tyler LLP
1133 Avenue of the Americas
New York, NY 10036-6710

Re: *Nestlé Purina PetCare Co. v. Blue Buffalo Co.*
Ltd., Case No. 4:14-cv-00859 (RWS)

Dear Adeel:

We write in response to your letter dated August 21, 2014, regarding Purina's objections to Blue Buffalo's document subpoena served on Dr. Makowski. As we have repeatedly represented, Purina will produce all non-privileged documents relating to the testing results set forth in the Complaint and Dr. Makowski's January 2014 analysis. To date, Purina has substantially complied with this representation as it continues to gather a few other documents responsive to Blue Buffalo's requests. Purina addresses each of your concerns in turn below.

Purina's General Objections

As noted in Purina's general objections, Blue Buffalo's document requests are overly broad as they do not specify a date range and request drafts and communications with Dr. Makowski that are privileged under Fed R. Civ. P. 26. With respect to the date range, Purina is willing to consider a proposed range. Purina will also log privileged communications dated prior to filing date of the Complaint in accordance with the parties' agreement.

Purina's Specific Objections

Document Request No. 6 – With respect to the microscopic reference library, Purina has offered to make Dr. Makowski's physical samples available for inspection. If Blue Buffalo prefers photographs of these samples in lieu of an inspection, as you suggest, please let us know so that we can arrange for their preparation. As detailed in Dr. Makowski's textbook and in his report, the "known standards" refer to a true sample of an ingredient—for example chicken by-product meal—that can be compared to the unknown test sample. We understand that Blue Buffalo can obtain genuine chicken by-product meal from several of its suppliers.

Document Request No. 8 – With respect to the photographs related to Dr. Makowski's report, we can confirm that the photographs at PUR_000249-252 constitute all such photographs.

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Document Request No. 9 – With respect to your request for slides, Dr. Makowski does not save slides prepared during the course of his analysis. With respect to the testing results set forth in the Complaint, the tested pet food samples are available for inspection. Please let us know if you would like to conduct such an inspection.

Document Request No. 11 – With respect to your request for particle identifications, at least PUR_000207-252 are responsive to this request. Specifically, Dr. Makowski describes the particles he identified during his analysis at PUR_000211. Additionally, his report includes photographs of several of these particles at PUR_000249-252. Moreover, as noted in Purina's and Dr. Makowski's objections, Purina will produce similar documents relating to Dr. Makowski's January 2014 analysis to the extent they exist.

Document Request No. 16 – With respect to documents related to error analysis, at least PUR_000014-16 is responsive to this request.

Document Request No. 17 – Dr. Makowski did not perform the analysis summarized in PUR_000337 and therefore does not have documents responsive to this request. Purina is gathering responsive documents related to PUR_000337 from Purina's files and will produce them in accordance with Blue Buffalo's document requests served on Purina.

Document Request No. 29 – Purina has produced Dr. Makowski's current *curriculum vitae* at PUR_000241-248, which is sufficient to show Dr. Makowski's academic degrees and professional experience.

Document Request No. 10 – With respect to documents concerning the phrase "raw chicken or poultry feather," at least PUR_000207-252 is responsive to this request. For example, Dr. Makowski identifies a poultry feather in his report at PUR_000250.

Document Request No. 13 – With respect to documents concerning the amounts of egg shell, feather, and leg scale, at least PUR_000207-252 and PUR_000257-336 are responsive to this request. For example, Dr. Makowski identifies each of these in his report at PUR_000211 and PUR_000249-252.

Document Request No. 14 – With respect to Dr. Makowski's "extrapolation techniques," at least PUR_000014-16 is responsive to this request. Dr. Makowski's textbook provides a detailed, step-by-step analysis of how this quantification is accomplished.

Document Request Nos. 25 & 26 – With respect to documents concerning peer review or guidelines for sample preparation and microscopic interpretation, at least PUR_000012-14 and PUR_000342-1728 are responsive to this request. These documents include publications and books describing the use of microscopic analysis to determine ingredients in animal feeds. And Dr. Makowski's textbook provides a detailed, step-by-step analysis of how the samples are prepared and analyzed.

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Please let us know if you would like to discuss any of these matters. We are generally available tomorrow.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard M. Assmus", written over a light gray rectangular background.

Richard M. Assmus

cc: Carmine Zarlenga
David A. Roodman